

COMMISSIONERS APPROVAL

CHILCOTT 

LUND

THOMPSON 

TAYLOR (Clerk & Recorder)

Date.....December 29, 2005

Members Present.....Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board met for various administrative matters as follows:

In regard to the Stevensville West Homeowners Park District Association –
Commissioner Lund made a motion to appoint the following members as the Directors of
the Stevensville West Park District:

- Laurie Brant, Ed Brubaker, Patty DeBrock, Joe Jackson, Leonard Lewis, Joe Roussoff, Leon Theroux

Commissioner Thompson seconded the motion and all voted “aye”. It was noted these
Board Members would meet and elect officers and determine the length of terms after
which the voters would elect them for their following terms.

Commissioner Thompson made a motion to adopt the following budget transfers by
Resolution:

- Resolution No. 1765 which is a FY 2005 transfer within the Immunization Fund for year end
- Resolution No. 1766 which is a FY 2005 transfer within the District Court Fund for year end
- Resolution No. 1767 which is a FY 2005 transfer within the Safe Kids/Safe Communities for year end
- Resolution No. 1768 which is a FY 2005 transfer within the Public Health Nurse for year end
- Resolution No. 1769 which is a FY 2006 transfer within the Planning Department for year end

Commissioner Lund seconded the motion and all voted “aye”.

In regard to the Animal Protection Board no applications received.

In regard to the Health Board positions that were open, Commissioner Lund made a motion to delay any appointments until Commissioner Chilcott visits with John Swanson. Commissioner Thompson seconded the motion. All voted "aye".

In regard to the Park Board positions that were open, Commissioner Thompson stated Gary Leese is a good addition to the Park Board. Commissioner Thompson stated Mary Morris has not been a member very long but is easy to work with and makes good decisions. Commissioner Thompson stated William Delaney also does a good job. Commissioner Thompson made a motion to reappoint Mary Morris, William Delaney and Pat Zeiler for another two-year term. Commissioner Lund seconded the motion and all voted "aye".

In regard to the Planning Board positions that were open, Commissioner Thompson indicated he has read the Planning Board minutes and noted that Howard Lyons does not attend all of the meetings nor are there many questions or comments made by Howard during those meetings. Therefore, he would like to interview other candidates. He would like to see Carolyn Weisbecker serve as the At-Large due to how he has seen her perform on the RAC Committee. Commissioner Chilcott stated if John Swanson does not want to continue serving on the Board of Health, Carolyn might be a good addition to the Board of Health due to her Masters in Public Administration with Public Health emphasis. Commissioner Thompson made a motion to re-appoint Chip Pigman to represent the Hamilton School District area. Commissioner Lund seconded the motion and all voted "aye".

In regard to the Tax Appeal Board, Commissioner Lund made a motion to re-appoint Bill Swendsen to the Tax Appeal Board for a three year term. Commissioner Thompson seconded the motion and all voted "aye".

In regard to the Weed Board positions that are open it was agreed they will wait on any appointments due to the interview this date and Jan 3rd.

In other business the Board addressed the Call for Bids on the printing of legal notices. It was noted that a legal notice for bid request was done according to Montana Law. Only one bid was received from Ravalli Republic in the amount of: \$9.00 for the first 100 words and \$7.00 for the second 100 words. (It was noted this was the same rate as last year). Commissioner Lund made a motion to award the printing of legal notices to Ravalli Republic for the calendar year 2006 at the above named rates, with the option to renew this for the following year. Commissioner Thompson seconded the motion and all voted "aye".

The Commissioners resumed their discussion of administrative matters:

Sharon Schroeder asked for a letter of support for the Daly Mansion. Commissioner Lund made a motion to have the Chairman sign a letter of support for federal monies for the restoration project. Commissioner Thompson seconded the motion and all voted "aye".

Commissioner Thompson made a motion to grant final approval to the Herrell Addition. Commissioner Lund seconded the motion and in doing so made the following statement: Today's agenda includes one or more land use issues. Because of my years of service as Ravalli County Clerk & Recorder and now as Commissioner and because members of my family are involved in the real estate profession, I am providing this statement in the interest of full and open disclosure. My husband, son and brother-in-law are realtors who conduct business in this county. I do not participate in their real estate business or related matters except as the passive title owner of the building rented by their real estate business. Although connections with my family or their business and the land use issues facing us today are possible, I am not aware of any direct connections and thus do not believe I have any conflicts of interest arising out of my participation in today's meeting.

All voted "aye".

Commissioner Thompson made a motion to sign the approval of the Memorandum of Understanding between the Department of Military Affairs and the Disaster and Emergency Services Division and the Western Interoperable Communications Consortium, which consists of Lake, Sanders, Mineral and Ravalli Counties. Commissioner Lund seconded the motion and all voted "aye".

Commissioner Lund made a motion to sign the Mental Health Contract with the Western Montana Mental Health Center for the County contribution of \$15,006.00. Commissioner Thompson seconded the motion and all voted "aye".

Skip Rosenthal met with the Board to advise them that Red Caldwell is going on vacation and the County needs to designate someone to plow the snow, etc. Max Martz, who is familiar with air operations, is volunteering to act as the interim maintenance manager. Skip checked with the Workers' Compensation Insurance for coverage and he is covered as a volunteer. The County will pay the same rate of coverage to Workers' Comp for the hours Max does volunteer his service. Commissioner Thompson made a motion to have the Chairman sign the letter to Workers' Comp, allowing Max Martz to act as a volunteer during Red Caldwell's absence.

Commissioner Lund made a motion to sign the Estoppel agreement for Paul O'Bagy. This agreement is in regard to a loan that Paul has with a bank in Stevensville. Commissioner Thompson seconded the motion and all voted "aye".

The Board held a public hearing for Budget Amendments for FY 2005. Commissioner Chilcott called for public comment. No members of the public were present. Jana Exner stated these are clean-up amendments to close the budget year. Commissioner Lund made a motion to approve of the following budget amendments for FY 2005, based on advice from Auditor Ron Foltz for purposes of final budget reconciliation:

- Resolution No. 1770 due to unanticipated revenue from General Fund to cover over expenditure in Comp Insurance for policy deductible

- Resolution No. 1771 due to Law Enforcement Block Grant monies from Fiscal Year 2003 being left over in the grant
- Resolution No. 1772 due to unanticipated revenue as the fair is reducing CIP cash to cover over expenditures for FY 2005
- Resolution No. 1773 due to unanticipated revenue from the Local Government Study Fund for un-used wages
- Resolution No. 1774 due to unanticipated revenue from the CTEP Main Street Victor Project
- Resolution No. 1775 due to unanticipated revenue for Planning Fund administrative fees
- Resolution No. 1776 due to unanticipated revenue for the CDBG Planning Grant for S.A.F.E.
- Resolution No. 1777 due to unanticipated revenue from the Immunization Grant
- Resolution No. 1778 due to unanticipated revenue from patient fees in Public Health
- Resolution No. 1779 due to unanticipated revenue from delinquent taxes for Museum Fund
- Resolution No. 1780 due to unanticipated revenue from delinquent taxes for Mental Health Fund
- Resolution No. 1781 due to unanticipated revenue from the District Court Fund
- Resolution No. 1782 due to unanticipated revenue in fringe benefit fun
- Resolution No. 1783 due to an amendment for the WIC Farmer's Market Grant
- Resolution No. 1784 due to unanticipated revenue for the WIC Grant and special projects

Commissioner Thompson seconded the motion and all voted "aye".

The Board held a public hearing for Budget Amendments for FY 2006. Commissioner Chilcott called for public comment. There were no members of the public present and no comments were received. Commissioner Lund made a motion to approve of the following Budget Amendments for FY 2006 due to unanticipated revenue:

- Resolution No. 1785 which amends the Capital Improvement Project (CIP) Fund budget for a transfer in from the Information Technologies Department for the reserves for computers, administrative building generator and administrative building fire suppression
- Resolution No. 1786 which amends the Treasurer's budget for a transfer from the CIP Fund
- Resolution No. 1787 which amends the Road Department Fund
- Resolution No. 1788 due to unanticipated revenue from recording fees

Commissioner Thompson seconded the motion and all voted "aye".

The Board met with Planning Director Patrick O'Herren, Planner Renee Van Hoven, Flood Plain Administrator Laura Hendrix and GIS Coordinator Ken Miller in regard to the upcoming absence of Patrick O'Herren. Also present was Planning Board Chairman Dan Huls. Patrick stated they would like to have one interim director who would be Karen Hughes. Renee would then continue her Planner activities, but assist Karen in the

dual role as a director. However, Karen will be the person who signs off on things. Renee will review the pro active planning issues, lead on Corvallis Sewer District Planning, and will be responsible to involve other staff in those efforts. In terms of water quality, Laura will handle these issues along with the set back on water issues. Renee and Laura will bring that information back to staff and the Commissioners. Renee will continue to work with the Right to Farm Advisory Board and Patrick will continue attending those evening meetings. Renee and Karen will handle neighborhood planning, with the John Horwich Study. Renee will handle the Highway 93 Plan. Karen should handle Subdivision Regulations and any re-writes as the lead, and Civil Counsel James McCubbin should handle all the legal issues. Subdivison Review will continue to work as it has, and Tristan will handle sufficiency and pre applications. The new Planner, John Levy, will be here the middle of January. In regard to exemptions, the Clerk and Recorder have been doing the research. Patrick then reviews. It takes eight hours a week to make this review. He is training both Tristan and Renee on that review process for the transition. This is not difficult, just time-consuming. The Commissioners concurred with this assignment of duties while Patrick is on his three-month leave of absence.

In regard to the Joslyn Trail West Fork Bridge Project, Patrick addressed the waiving of the fees. This project discussion started in 1999, under the previous Planning Director, Tim Schwecke. The cost to the County will be around \$1,800.00 for the application package, then the County hires an engineer to review that work. Commissioner Lund said the Commissioners agreed to waive the \$500.00 application fee, and the engineering fee will be included into the SID. They paid the \$350.00 fee but it expired; now the fee is \$500.00. Patrick stated he would like a formal letter from the Commissioners waiving the \$500.00 fee, but that the engineering fees will be wrapped into the SID costs to the citizens of the district.

In other business the Board held an interview with Dianne Hackett for the Weed Board position.

The Board met with Special Projects Coordinator Marty Birkeneder of the Sheriff's Office in regard to the need to fill out a CCR Registration with the Federal Government in order to continue to apply for the federal grants that are utilized by the County. Marty indicated she hopes to utilize the future grant applications for the augmentation of courtroom security and electronic communications. The Commissioners reviewed the designated persons and contact persons along with other questions needed for the registration so Marty can complete this registration.

The Board met with Fair Manager Gary Wiley in regard to the Event Pavilion Center construction and the Old Corvallis Road Water and Sewer. Also present was Fair Board Member Les Linendoll. Gary relayed that PCI Engineering has sent the plans for the sewer and water to the State for their approval. There do not appear to be any connect lines on these plans. Gary talked to Dirk Wolf, of Ideal Construction, in regard to the ground water test hole that was dug. Dirk has asked if his construction company could give the County an irrevocable letter of credit rather than a bond. Concurrently Willie

Schrock stated a change order on the pavilion building could be added to his contract for this water and sewer work. Willie stated the change order would cost \$10,000.00, which will include the administration and bonding of the sewer and water hook up, plus the \$70,000.00 that Ideal Construction has bid for this work.

Dirk Wolfe was present and stated he has done all of the underground work for the City of Hamilton. He indicated an irrevocable letter of credit is 'just as good' as a bond. The City has always accepted this letter of credit and if a bond is not required the County could save \$10,000.00 in the administration costs and bond costs that Willie would need to charge. Dirk stated he visited with PCI Engineering and they have estimated these costs to be approximately \$100,000.00. Dirk stated he could do this project for \$70,000.00. Commissioner Chilcott stated this project would have to go out to bid due to the cost estimate.

Administrative Director Skip Rosenthal was now present. He stated he visited with Willie in regard to a change order and the cap amount on the total project cost would need to stay under the \$750,000.00. If the total project stayed under the cap amount this could be one project rather than two. Commissioner Chilcott stated his concern is that on this size project, they must anticipate some change orders for the increased costs of the building itself. Dirk stated he would be happy to help on this project and can work well with Willie.

Commissioner Chilcott stated he would prefer to keep these two items as separate projects, as he wants to make sure there is enough money in the building construction account, due to the possibility of increased costs. Commissioner Chilcott also stated there are some unknowns in the excavation portion for the sewer and water project because they do not know what is under the ground. Commissioner Chilcott also stated other contractors may want to bid this job and they might obtain some competitive bids that are under Dirk's bid of \$70,000.00.

Gary also brought forth an invoice from Willie Schrock in the amount of \$102,982.00 for demolition and partial construction of the pavilion. He stated the beams have been delivered and another bill will be forthcoming. Gary visited with Monte Drake at First Interstate Bank and the money is not available until January 15th. Commissioner Lund stated they could utilize PILT money until the loan money is available. Commissioner Lund also stated Internal Auditor, Klarryse Murphy, is working with bond counsel in regard to a bank qualified letter that the bank needs.

Gary stated Surveyor Steve Powell is working on the survey. He is also working with Civil Counsel James McCubbin in regard to the CTEP monies that the County is pledging to the City. Gary stated they still have an issue with the naming rights. Commissioner Lund indicated she visited with Klarryse about utilizing monies that are present within the County budget for the water and sewer project. These monies would then be paid back out of Fair funds.

Civil Counsel James McCubbin was now present. It was concurred that a Request for Proposal be done on the sewer and water project for Old Corvallis Road.

James stated he met with Colleen Miller of the City of Hamilton. He stated they should amend the earlier conditional use permit that was obtained from the City. The permit names the pledge of the CTEP money less the \$15,000.00 for the Republican Ditch project that the City of Hamilton is doing. James is proposing a three way inter-local agreement with Commissioners, City Counsel, and City Board of Zoning Adjustment. James stated he has been waiting for a description on the Republican Ditch project, as it must be named in the inter-local agreement. He has not yet received that information from Colleen. Sometime this week Colleen left a voice mail stating that Skip has the information on the Republican Ditch. He will visit with Skip about this. James stated he is concerned that Colleen feels the County does not need to meet with the Board of Adjustment. Commissioner Lund stated they wanted to address this inter-local agreement prior to the first of the year.

It was agreed James can proceed in drafting the inter-local agreement and send it to the city, as Skip did have a description of the City of Hamilton CTEP application for the Republican Ditch. Gary stated until he receives the conditional use permit, the City is holding up the building permit.

In other matters the Board met with members of the public in regard to the Sleeping Child Road project of brush and tree trimming. Present at this meeting was Road Supervisor David Ohnstad and Civil Counsel James McCubbin.

David gave some background to Sleeping Child Road. The road was established in 1887 with the last four miles established in 1912. In 1961 the first portion was reconstructed with federal monies and done by the DOT. Right-of-way was acquired from Skalkaho Highway to Little Sleeping Child Road. The construction occurred 1962-1963. Since that time there has been a lesser degree of operation of the road than what is typically required for its existence. The road is now in need of resurfacing. One year ago they began resurfacing the cracks with chip seal. Any time the improvement is made, it is required to maintain the road in its original design. They would reclaim the easements that were done by DOT some 40 years ago, restoring the safety clear zones on each side of the road. There are trees within that zone and a notice went out to the residents about that zone clearance. Thus is the notice today.

Public comment was then called for.

Ron Horton questioned who is funding this. Is there a budget surplus? David stated this is coming out of the Road and Bridge annual operating budget. This is an investment for safety and road condition.

Margaret Moddisen asked why trees well back from the road have anything to do with the road condition. People have taken care of these trees and it makes it beautiful. She is also concerned about the ditches being weakened by removing the trees. The walls of the

ditch are sandy and fragile; then the County will have a problem. David stated they made a specific point to retain any riparian vegetation and they will not compromise those ditches.

June Jones stated she understands removing a tree for safety issues. She has lived there for 10 years and she is not aware of any accidents that have occurred there. Her choke cherry bush has been removed and it is behind her mailbox. Other trees she has are marked for removal and they are actually there to keep someone from rolling into her pasture. She would like someone to visit with each landowner and address each.

Bob Moddisen stated a lot of people walk and ride their bicycles. This is a country road. The amount of vegetation marked is ludicrous. This is not a state highway and they did not buy their three parcels on an interstate.

Sue Horton lived there nine years. When they resurfaced last time they did not remove any vegetation. She is not aware of any accidents except for a drunk driver. She has never seen a tree hit.

Arthur Slack has lived there for last two years. He stated he understands the safety factor. He has seven trees that are marked. They are noise and wind protection. In regard to distance of the trees he does not see why the trees cause a safety hazard. He stated he does not see a safety issue.

Laura Garber lived there for 8 years. Her kids never felt unsafe and trees do not cause a site distance problem. This is a beautiful road and what they want to do will ruin the road and it feels like a taking that is not just. Cut them when they are saplings, not now.

Max Coleman is closing on 34 acres this Tuesday. He has seen the orange paint and sees trees marked that are on the hillside and not in the zone. Ponderosa Pines are \$8-9,000.00 trees. A couple of trees on the flat should be left. We are buying based on what we saw and are under contract with. It will create a different look and the markings are excessive. Commissioner Lund stated some of the trees are marked incorrectly.

Gary Greer lives there. He has been driving the road for 25 years, along with bus and logging trucks. No one has ever hit a tree and the traffic is less with the closure of Sleeping Child Hot Springs. We are paying the price for bad drivers, speeders, and inexperienced drivers. Those of us who own the property enjoy the privacy that the landscape provides. There are no safe roads for inexperienced drivers.

Chip Jasmin stated the last time the trees were cut; the cottonwood tree was cut and stacked without my notification. He has lived there for 23 years and the speed limit is 55 miles per hour. There is less traffic now. The trees add to the aesthetics of the residential area. He asked the Commissioners to be selective. Maybe a few trees need to be removed, but most markings are unnecessary.

Bonnie Greer lived there for 25 years, and agreed with what was said. What amazes them is that the man who marked the trees said it was a safety issue. The speed limit is 50 mph not 55 mph in that section. No one has ever hit a tree. Drunks go into the creek. A responsible driver should be able to drive any road. Those trees house many animals: owls at night, the pheasant cover, the foxes, etc. Cutting trees will affect the animals. While the County might have the right, please reconsider and only take a few. You will ruin the road. Every Sunday an older couple drives this road for that enjoyment. She stated this road has been resurfaced and they never cut any trees. We also have some horse riders. Please do not add to the negative issues that are happening in this County.

Jeff Reynolds has lived there for the last 10 years. The Road Department has a case for the small poplars, but the choke cherry bushes, ponderosa trees, etc., should not be removed. On the south side they lost their south side trees in 2000 and now he is losing his north side trees. Some of these trees are 25' from the roadbed and it affects their property values. To take trees all the way to the hot springs is ludicrous. The last four miles is Forest Service area and the County is losing their money. A County employee told them the Road Department was taking it to the hot springs. David stated they are not.

Brian Rouse stated this is a good idea as far as maintaining the road, but not all the trees. Maybe a small panel can work with the County in order to keep some of the trees that are being maintained. He asked if the county would also mow the grass and weeds along the road as that is a safety issue also. His grandparents have had property there since the road was built. Some cottonwoods that are dead have not been marked but other live trees have been marked. He is also concerned about the root balls that ruin the ditch when the trees are removed.

Lana Markee lives on Sleeping Child. They have a 60'-tall pine in front of the house and that is why they purchased the house. This tree has now been marked. In regards to the safety, there are trees behind the guardrails that are marked to be taken down. This road leads to Forest Service Roads; why cut those trees down?

Boyd Cobb lived there for 33 years. Cracks need to be sealed and some trees should be removed. But if all the trees are cut the residents will lose their privacy. Some of the trees are in the irrigation ditch, and the County needs to clean the chips and brush out from those ditches.

Randy Bryant, of Sleeping Child, dittoed the concerns expressed. He hopes to work together to keep this beautiful road from being destroyed. He drove down Old Darby Road and where they cut the trees they left the stumps and a mess. He asked if they would be left with that, also.

David stated they do not do this with the intent to just cut them down. They have adopted the road design standards to provide for safe and effective roadways. The easement exists for facilitation of construction and operation of a public highway. None of the marked vegetation is over 40 years old. The easement was obtained for the

purpose of construction of the roadway. He stated he appreciates the trees, but when the trees pose a safety hazard he has a concern. Statistics come from somewhere and the standards are designed for a reason. If people are irresponsible that is unfortunate, but they need to protect the safety of the road.

In regard to Old Darby Road the stumps are scheduled for removal. The stumps will be ground down. They will not leave any debris, since it is run through the brush chopper. They are aware of the irrigation ditch and will not compromise the integrity of the ditch. He agreed that had they done it 30 years ago it would not be an issue. To continue to maintain the error is not the right thing to do. He stated they want to eliminate potential hazards, and this is a standard practice and founded in engineering design and management of road systems.

Commissioner Thompson commented on the irresponsible people and agreed, due to the amount of lawsuits the County receives. Sometimes the lawsuits are without merit, but there is always worry about those who will drive off the road and hit a tree. He stated the County cannot start a committee to take one tree and save another one. He stated trees could weaken the ditches according to the Army Corp of Engineers. He appreciates the comments.

Commissioner Lund agreed with Commissioner Thompson. She stated there are some gorgeous trees and she wants to try to work on the possibility of saving them, but she felt the small ones should be removed now. She asked about the ditches. It was noted they are private ditches.

Unknown citizen stated the deer utilize the ditches, and the soil will not hold the ditches if the trees and vegetation are removed. It was noted this is a very riparian area.

Commissioner Lund asked if there was a road count on the road. David stated the last count was around 700 per day. The public stated they only have 21 houses and there is no way there would be 700 cars.

Commissioner Chilcott asked about the erroneously marked trees. David stated there were just a few that were marked incorrectly, due to a miscommunication of the crew. Beyond the Forest Service boundary they were marked in error.

Commissioner Chilcott asked about the trees behind the guardrail. David stated these are small trees now, but they will hang over the guardrail later. Had this been maintained in the manner it was constructed, there would have been no issue. Commissioner Chilcott said unfortunately not everyone drives responsibly. He cited a case in Lewis and Clark County where some kids were driving and hit a tree; the County was sued for a 7-figure settlement, and the kids had their eyes closed. We asked David to mitigate these risks for the County. He stated the Commissioners must pay attention to this issue, as there is no surplus of money for litigation. We are trying to reduce our exposure. 1105 does not require the County to go to a vote of the people if money is needed for litigation.

Commissioner Thompson stated the County must also follow our road standards, which are national standards.

James said nothing negates the person to sue. Commissioner Lund asked if the speed was lowered would the zone be narrower.

Jeff stated Road Crew Ray Waliser told him they could go 90 feet from the center of the road, which would be 180'. David stated if that was the comment made by Ray that is in error. He stated it is typically 90'. This is roadway right of way and it is not by prescription. James stated they could lower the speed limit to 35 mph without engineering if the Board determined that. Commissioner Chilcott asked if they did that would they admit in a future court case that the road had problems. James stated maybe. David stated the County would be poorly advised to lower the speed limit, as the engineering standards are the nationally accepted standards.

Bonnie stated there are telephone poles within 4' of the roadway and they pose more danger at the sharp curve as vehicles go up Skalkaho. This is a place where accidents happen. Maybe if the County would plow and sand, it might improve the safety of the road.

June asked if this was going to start on January 3, 2006. She was told it will.

A citizen stated there are deep barrow pits located there, so the tree would stop the vehicles. In regard to speed limits, they have called about Little Sleeping Child; the County denied any equity on this road. Speed limits have no value unless they are enforced.

A citizen said the deep barrow pits are at least 40' down. The trees act like guardrails, so if you remove the trees can they get guardrails? The graders did nothing this year. They had 2" of ice and there are no guardrails. So if the County is going to talk safety, let's talk all issues, 'and the plowman needs to drop his plow'.

A citizen has a small tree he wants to transplant but it could not be done until March. David said if they want to transplant the county would work with them.

A citizen stated the County can make this road 300' wide and there would still be irresponsible drivers. He suggested they look to the people that are out there and use common sense, particularly the expenditures of removing these trees when there are other issues in the County. He agrees some snags need to be removed, but they have negotiated that road in the onset with no major problems and now there are fewer problems.

Some citizens stated the County is not protecting the citizens by devaluing our property.

Bill Kyle lives on Old Darby Road and asked if there is any precedent to declare a road to be a scenic road. James stated the important thing about liability is avoidance of

maintenance. And the legislature expressly amended the statute in the 90's to eliminate the maintenance of roads. Now you use discretion on budgetary issues and the priority of that maintenance. The Board of County Commissioners should take over the priority issue. It is discretionary. A Lexis search shows nothing over maintenance of the road. It is more a question of doing what you can where you can.

Citizen asked if this is a priority road, then would the County also mow the sides of the road. David stated they will try to do more aggressive weed abatement with the new weed supervisor.

A Citizen asked how much is budgeted for this. David nothing has been expressly budgeted and most of the monies are coming out of their maintenance line. The initiative is due to resurfacing investment and it then becomes imperative to look at the whole road preserving the investment that was made 40 years ago.

A citizen stated there is no problem with re-surfacing. The issue is safety and even with a foot of ice and no sand, they do not hit the trees.

Commissioner Lund stated trees shade the road and you can have slick spots. The citizens stated that is incorrect, the slick spots are because of the shading from the mountains and the fact that no snow plows ever come up there.

Commissioner Thompson stated they recognize the cottonwood trees that need to be removed along with some saplings. He also stated lawsuits are filed due to deer on the roads because they are eating the vegetation. He stated they will take these comments into consideration.

A citizen stated they should do what is right and that does not include removing everything that has been marked. David stated he disagrees with that comment. Any improvement without considering clear zones should mean that we should be sued. The easement varies but most of the easement is in the area of 90'.

James stated his issue is consistency. His understanding from ASHTOW is if you do not have accident history. Then you don't necessarily need to remove everything. David stated that is not true.

Commissioner Chilcott stated the other two Commissioners have driven the road and he needs to drive it. Commissioner Lund suggested they go with David, review the road and then make a decision. Commissioner Lund stated she wants to review the right of way, and they need to spend some time with David. The Board will take a site visit on January 5, 2006, with David.

In other business the Board met with Glenda Wiles and the 9-1-1- Supervisor Joanna Hamilton in regard to the letter that was received from Sheriff Hoffman giving the 9-1-1 Center to the Commissioners. Issues of discussion were as follows:

- The warrants that are now in good order. Commissioner Lund stated if the 9-1-1 Center comes under the Commissioner's direction, the warrants should not be done by 9-1-1. Discussion included having the warrants available 24X7.
- An advisory Board which all agreed the members of the board is critical. It was noted there was an old resolution in 1996 creating a board but it never really got off the ground and it is defunct. James commented the Commissioners should carefully define what the board does and does not do, as these types of boards should not deal with personnel issues.
- It was agreed due to Glenda's back ground and knowledge she will have the task of reviewing the various boards being utilized in Montana bringing information back to the Commissioners for review and decision.

Joanna felt they need to maintain status quo for now, continue to do warrants until a firm decision is done. Commissioners concurred. Glenda and Joanna are traveling to Missoula County on Thursday 1/5/06.

Skip stated the employees are part of collective bargaining unit, so effective January 1; Joanna is directly responsible to Commissioners and will report to them as a Department Head. No further responsibility to Sheriff as of the 1st. Joanna indicated she needs the Commissioners support and the Commissioners agreed the need to help her be successful as the new Department Head and during the transition. Joanna stated some of the issues they need to review are the equipment upgrade, space, location, staff, and environmental issues of air.